

OCT 30 2013

JULIA C. SLEEVY, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

UNITED STATES OF AMERICA,) CASE NO. 5:06CR00041-001
v.) (CASE NO. 5:13CV80)
ADELSON MICHEL,)
Defendant.) FINAL ORDER
)
) By: Glen E. Conrad
) Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

as follows:

1. The defendant's prior motion, styled as "Motion for Discovery from Government . . . and 28 U.S.C. § 2255 Habeas Corpus" (ECF No. 1013) is **CONSTRUED** as a Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C.A. § 2255;
2. The clerk is **DIRECTED** to redocket the motion (ECF No. 1013) as a § 2255 motion and assign it an appropriate civil action number for administrative reasons only;
3. The § 2255 motion is hereby **DENIED** without prejudice as successive and stricken from the active docket;
4. A Certificate of Appealability is **DENIED**, based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right; and
5. The defendant's motion for reconsideration (ECF No. 1032) is **DENIED** as moot, as the defendant has no pending action before the court.

ENTER: This 29th day of October, 2013.



Chief United States District Judge